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FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES IMMEDIATE 1358
BT

STATE 239839

E.O. 11652: GDS

TAGS: PFOR, CASC, AR (TALAMANTE, OLGA)

SUBJECT: W/V ARREST: OLGA TALAMANTE

REF: E.A. 6635

IMMEDIATE ACTION

TO	ACT	INF	TO	ACT	INF
AMB	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	CAO		
DCM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	LGATT		
			DEA		
FCI			FAS		
ECONI			AID		
FCI/A			MLGP		
GO S			PEX		
ACM			GSO		
LSIS			B&F		
SCI			CHRON		
SY			HF		

TO AMBASSADOR HILL FROM ASSISTANT SECRETARY ROGERS

1. IN MY SEPTEMBER 23 CONVERSATION WITH ROBLEDO (STATE 233863), HE INDICATED HIS FULL AWARENESS OF DANGER THAT THE TALAMANTE CASE COULD REPRESENT FOR U.S.-ARGENTINE RELATIONS IF IT IS NOT RESOLVED PROMPTLY, AND PROMISED TO HAVE HER RELEASED WITHIN A FEW WEEKS QUOTE IF HER LAWYER AGREES TO DROP HER APPEAL. UNQUOTE. YOU SHOULD SEEK APPOINTMENT WITH ROBLEDO AS SOON AS POSSIBLE IN ORDER TO EFFECT EARLY SOLUTION THIS TROUBLESOME CASE.

2. IT SEEMS TO ME ESSENTIAL THAT WE GET THE FACTS CLEAR WITH RESPECT TO THE QUESTION OF WHETHER APPEAL OF A VERDICT INTERFERES WITH POSSIBLE PAROLE AND/OR DEPORTATION PROCESS. BUENOS AIRES 6396 QUOTES DEFENSE ATTORNEY PEREZ AS SAYING THAT THE APPEAL WOULD ABSOLUTELY NOT AFFECT PAROLE/DEPORTATION PROCESS. ROBLEDO, ON THE OTHER HAND, INFORMED ME THAT THE PAROLE AND DEPORTATION COULD TAKE PLACE ONLY IF THE APPEAL WERE DROPPED. SINCE THIS IS A SIMPLE QUESTION OF STANDARD ARGENTINE JUDICIAL PROCEDURE, IT

SHOULD BE POSSIBLE TO GET A CLEAR CUT YES OR NO ANSWER.

3. I AM PUZZLED BY THE REPORT IN BUENOS AIRES 6685 THAT PEREZ IS NO LONGER OLGA'S DEFENSE ATTORNEY. IT APPEARS TO ME IMPERATIVE TO ASCERTAIN IMMEDIATELY WHY (AND HOW) THIS STEP WAS TAKEN AND WHETHER OLGA DESIRES TO BE REPRESENTED BY THE PUBLIC DEFENDER OR WISHES EMBASSY ASSISTANCE IN CHOOSING A OTHER ATTORNEY. THIS MIGHT BEST BE ACCOMPLISHED BY ANOTHER VISIT TO OLGA IN AZUL.

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

() Classify as () Extend as () Downgrade to

Date _____ Declassify on _____

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P2 4. COURT SECRETARY HANSEN'S STATEMENT THAT THE REQUEST FOR PAROLE HAD NOT BEEN PRESENTED TO THE JUDGE BECAUSE OF THE REVOCATION OF PEREZ' POWER OF ATTORNEY IS ALSO DIFFICULT TO UNDERSTAND. BUENOS AIRES 6396 OF SEPTEMBER 23 REPORTED THAT PEREZ HAD ALREADY REQUESTED OLGA'S PAROLE AND THAT HE EXPECTED IT TO BE CONSIDERED AND POSSIBLY DECIDED IN NEXT COUPLE OF DAYS. DOES THE SUBSEQUENT WITHDRAWAL OF ATTORNEY FROM APPEAL ACTION INVALIDATE A PREVIOUSLY FILED PAROLE REQUEST? DOES COURT OF APPEALS AUTOMATICALLY TAKE JURISDICTION OVER PAROLE REQUEST? AN ACCURATE UNDERSTANDING OF THESE POINTS OF ARGENTINE LAW IS ESSENTIAL NOT ONLY TO RESPOND TO INCREASINGLY POINTED CONGRESSIONAL, PRESS AND OTHER PUBLIC INQUIRIES HERE BUT TO SUBSTANTIVE HANDLING OF THE CASE ITSELF.

5. I THINK IT IMPORTANT AT THIS JUNCTURE THAT YOU ASSUME PERSONAL CHARGE OF THIS CASE IN EFFORT OBTAIN EARLIEST SOLUTION ALONG LINES POLEDO INDICATED IN HIS CONVERSATION WITH ME. THIS WILL ENSURE THAT WE ARE PROVIDED ACCURATE AND COMPLETE INFORMATION ON ALL PERTINENT DEVELOPMENTS AS THEY OCCUR IN TALAMANTE CASE. KISSINGER

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